

**1. AMENDMENT**

**1.1 IN THE SPECIFICATION:**

On page 1, please delete the present title of the application and replace with the following new title:

“Recombinant Herpes Simplex Viral Vector Compositions”

**1.2 IN THE CLAIMS:**

*Please cancel claims 44, 50-56, 58-60, and 62, without prejudice and without disclaimer.*

*Please amend claims 41-43, 45-49, 57, and 61, so that the amended claims read as follows:*

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41. (Amended) A recombinant herpes simplex viral vector that comprises a DNA segment isolated from herpes simplex virus ICP27 deletion mutant ATCC PTA-4004, wherein said segment encodes an adeno associated virus *cap* gene and an adeno associated *rep* gene, and further wherein each of said genes is operably linked to a homologous or a heterologous promoter.
42. (Twice Amended) The recombinant herpes simplex viral vector of claim 41, wherein said homologous promoter comprises a p5, p19 or p40 promoter.
43. (Twice Amended) The recombinant herpes simplex viral vector of claim 41, wherein said\_heterologous promoter comprises a CMV 40, HIV LTR, HCMV IE or HSV 110 promoter.
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